

## AGENDA

**BOARD OF COMMISSIONERS  
REGULAR MEETING  
315 WEST SECOND STREET  
FRANKFORT, KY 40601  
502/875-8500**

**NOVEMBER 26, 2007  
5:30 P.M. (EST)**

### 1. INVOCATION

Rev. Jerry Parritt

### PLEDGE OF ALLEGIANCE

John Hammond

### ROLL CALL

### MINUTES

October 22, 2007 Regular Meeting; November 1, 2007 Special Meeting; November 15, 2007 Work Session

### MAYOR'S REPORT

## 2. CEREMONIAL ITEMS

## 3. ORDINANCES

- 3.1 SECOND READING:** An Ordinance to amend the City of Frankfort's Code of Ordinances – Chapter 152 – by amending the City of Frankfort's Zoning Regulations - Ordinance No. 8, 1983 Series, by amending Article 2, Section 2.10 Zone Map Atlas to adopt the GIS rendition of the current Zoning Map Atlas as the office Zoning Map Atlas.

**Purpose:** To amend the City's Zoning Ordinance as recommended by the Frankfort/Franklin County Planning Commission and the Zoning Update Committee by amending Section 2.10 of the City's Zoning Regulations to adopt the GIS rendition of the current zoning map atlas as the office zoning map atlas.

**Background:** The current zoning map atlas is a copy of an original individual sheets that have been updated over the years in a variety of formats and methods. The original versions are also damaged and the copied version is extremely difficult to read and maintain.

Based on the most recent text amendment approved by the Board of Commissioner's, which was adopting the new flood damage prevention ordinance (article 9) – the official zoning map contains the former flood zone and flood way which is no longer accurate based on the updated FIRM/FEMA flood maps.

Staff has recreated the official zoning map atlas via the City's GIS software/data base and requests that this electronically generated and maintained zoning map atlas be designated as the official City of Frankfort zoning map atlas.

No properties are being rezoned or changed to a different zoning district by this action – rather this action only establishes the GIS electronic generated zoning map as the official zoning map atlas for the City of Frankfort – being a reproduction of the current zoning map.

This request was presented to the Zoning Update Committee at the June 2007 meeting and was supported to be forwarded to the Planning Commission in September.

On September 13, 2007, the Frankfort/Franklin County Planning Commission held a public hearing, closed the public hearing, approved the report as the findings rather than requesting a summary, and

voted unanimously for approval to recommend the City of Frankfort's Board of Commissioners to approve the proposed text amendment.

This Ordinance had its first reading on October 22, 2007.

**Recommendation:** Approval

**Attachments:**

- Ordinance
- The report submitted to the Planning Commission
- Minutes of the September 14, 2007 Planning Commission meeting

**Contact Person**

**Name:** Gary Muller  
**Title:** Director  
**Department:** Planning and Building Codes  
**Phone:** 502/875-8500  
**Email:** [gmuller@frankfort-ky.gov](mailto:gmuller@frankfort-ky.gov)

- 3.2 FIRST READING:** An Ordinance amending Frankfort Code of Ordinances Chapter 37, Personnel; City Employees, Section 37.05, Bankruptcy Effect.

**Purpose:** To revise Frankfort Code of Ordinances, Section 37.05 so that an employee cannot be disciplined for exercising the right to file a bankruptcy petition.

**Background:** Frankfort Code of Ordinances, Section 37.05 currently provides that an employee can be discharged if the employee files a bankruptcy petition. This provision is contrary to federal law. Accordingly, the ordinance requires revision so that it does not violate federal law.

**Recommendation:** Approval

**Attachments:**

- Ordinance

**Contact Person**

**Name:** Robert C. Moore  
**Title:** City Solicitor  
**Department:**  
**Phone:** 502/227-2271  
**Email:** [rmoore@hazelcox.com](mailto:rmoore@hazelcox.com)

- 3.3 FIRST READING:** An Ordinance amending the City of Frankfort Code of Ordinances, Chapter 151 –by amending the City of Frankfort's Subdivision and Development Plan Regulations - Ordinance No. 26, 2007 Series, Ordinance No. 20, 2006 Series, Ordinance No. 23, 2005 Series, and Ordinance No. 3, 2004 Series, being the adopted Subdivision and Development Plan Regulations for Frankfort and Franklin County, by amending Section 1.15.00; 7.11.00; 2.03.02.S, 3.03.02.S; 4.03.02.Q; 7.05.03; 7.05.04; 7.08.06; 7.09.05; 2.03.07; 3.03.07; 4.03.07; 2.03.09; 3.03.09; 4.03.09; Part 2, Figure 2.11; Part 3, Figure 3.11; and 4.04.02 as indicated in the attachment of this Ordinance

**Purpose:** To amend the City's Subdivision and Development Plan Regulation ordinance by adding the Subdivision Update Committee as an authorized entity to initiate amendments to the textual provisions of the regulations and amendments to the Urban, Suburban or Rural Area map; to accept the American Association of State Highway and Transportation Officials (AASHTO) road design standards for Thoroughfares and Neighborhood Streets within the Urban, Suburban and Rural development areas; to

remove the petition period relating to approval of plats and development plans; to amend the design standards of an emergency vehicle access and the width of the raised median required for driveways that have more than 2 lanes; and to remove conflicting text concerning utilities to be installed in easements and/or rights-of-ways as recommended by the Joint Frankfort/Franklin County Planning Commission.

**Background:** On November 20, 2003 the Subdivision and Site plan regulations were adopted. On November 28, 2005 the City of Frankfort adopted the amendments as recommended by the Planning Commission, with the exception to the open space requirements. A joint city/county open space committee was formed to resolve this remaining issue. On September 25, 2006, the City of Frankfort adopted text amendments regarding the open space requirements. On August 27, 2007, the City of Frankfort adopted text amendments regarding the issuance of certificates of occupancy.

On August 20, 2007, the Subdivision Update Committee recommended 5 areas to be amended as the first of several amendments to these regulations. On September 13<sup>th</sup> the Planning Commission initiated text amendments to the Subdivision regulations. On October 18<sup>th</sup> the Planning Commission unanimously approved the proposed text amendments other than request to allow the American Association of State Highway and Transportation Officials (AASHTO) road design standards for Thoroughfares and Neighborhood Streets within the Urban, Suburban and Rural development areas. This one section was tabled to November 13, 2007, which the Planning Commission then unanimously approved the text amendment.

**Recommendation:** Approval

**Attachments:**

- Ordinance
- Text amendments with strikeout and underline text provided.

**Contact Person**

**Name:** Gary Muller  
**Title:** Director  
**Department:** Planning and Building Codes  
**Phone:** 502/875-8500  
**Email:** [gmuller@fewpb.com](mailto:gmuller@fewpb.com)

**4. ORDERS**

**5. RESOLUTIONS**

**5.1** Resolution to endorse efforts to develop a regional trauma system.

**Purpose:** To authorize a resolution to endorse efforts to develop a regional trauma system.

**Background:** Trauma is a severe health problem and a major cause of death and long-term disability. It is essential for persons in need of trauma care to receive definitive care within sixty (60) minutes immediately following an injury. For many areas, particularly rural communities, definitive trauma care is significantly limited or non-existent. Currently, Kentucky has three Level I trauma centers and one Level III trauma center. These centers are located in central portions of the state and are recognized to provide definitive trauma treatment. However, due to Kentucky's rural makeup, distance to these facilities often prevent treatment within the recommended time frame. Therefore, it is in the best interest of all citizens to establish an efficient and well-coordinated statewide trauma system. This system will reduce the incidence of inappropriate and inadequate trauma care while increasing survival rates and decreasing serious disabilities.

Dr. Andrew Bernard, in conjunction with the Kentucky chapter of the American College of Surgeons and local hospitals in central Kentucky, is requesting local city/county governments, pre-hospital care providers and other interested entities to support their efforts in developing a regional trauma system by adopting the attached resolution.

**Recommendation:** Approval

**Attachment:**

- Resolution

**Contact Person**

**Name:** Wayne Briscoe  
**Title:** EMS Director  
**Dept:** Fire  
**Phone:** 502/875-8531  
**Email:** [Wbriscoe@Frankfort-ky.gov](mailto:Wbriscoe@Frankfort-ky.gov)

**5.2** Resolution to recognize and endorse the efforts of the Woods and Waters Land Trust, Inc.

**Purpose:** To authorize a resolution to recognize and endorse the efforts of Woods and Waters Land Trust, Inc.

**Background:** Woods and Waters Land Trust is a non-profit organization that conserves land by holding conservation easements or by owning land. Through a conservation easement, use of the land is limited to protect the conservation value. The community as a whole benefits through the preservation of green space, scenic views, and natural habitats. Conservation easements are tailored according to the wishes of individual landowners. In this way, landowners can insure their land is protected beyond their lifetimes. Additionally, the landowner accrues certain tax advantages by placing the land in trust.

Franklin County Fiscal Court adopted a resolution in support of Woods and Waters Land Trust, inc. on October 25, 2007.

**Recommendation:** Approval

**Attachment:**

- Resolution
- Woods and Waters Land Trust, Inc. Information Sheet

**Contact Person:**

**Name:** Tony Massey  
**Title:** City Manager  
**Department:** City Manager  
**Phone:** 502/875-8500  
**Email:** [amassey@frankfort-ky.gov](mailto:amassey@frankfort-ky.gov)

**5.3** Resolution authorizing the filing of a joint application for 2007 Community Development Block Grant funds with the County and designating the Mayor to execute all documents pertaining to this grant.

**Purpose:** To authorize the city to be a joint applicant with the county for the 2007 Community Development Block Grant Micro-Enterprises funds and designating the Mayor to execute all grant related documents.

**Background:** The Governor's Office for Local Development currently has an open application process for submitting Community Development Block Grant Applications, which will close in January. The Capital Community Economic/ Industrial Development Authority has approached the County and City to file a joint application for Micro-Enterprises grant funds to secure services of an organization to provide education and training as well as micro-lending programs to encourage entrepreneurial/micro-enterprise development. A Resolution from the City is required as part of the full application package.

**Financial Analysis:** Each applicant is eligible for \$50,000.00 in CDBG Micro-Enterprises funds for a total of \$100,000.00. The County will take the lead on this project. The grant does not require a match from the city.

**Recommendation:** Approval

**Attachment:**

- Resolution

**Contact Person:**

<b>Name:</b>	Phillip Kerrick, C.Ec.D.	Rebecca Hall
<b>Title:</b>	Executive Director	Grants Manager
<b>Department:</b>	CCEIDA	City Manager
<b>Phone:</b>	502/226-5611	502/875-8500
<b>E-Mail:</b>	pkerrick@cceida.com	<a href="mailto:Rhall@frankfort-ky.gov">Rhall@frankfort-ky.gov</a>

## 6. CONSENT CALENDAR

*Items on the Consent Calendar are considered to be routine by the Board of Commissioners and will be enacted by one motion and one vote. There will be no separate discussion of these items unless a Board member so requests, in which event the item will be removed from the Consent Calendar and considered separately. The City Manager will read the items recommended for approval.*

### 6.1 To authorize purchase of a 2008 F250 Crew Cab through State Contract Pricing (Sewer Department).

**Purpose:** To authorize purchase of 2008 F250 Crew Cab 4x4 regular axle and 156" wheel base work truck from Collins Man War Ford through State Contract Pricing for the Sewer Department collection crew.

**Background:** This is a replacement vehicle for Unit 92B VIN #8581 (#6840000007).

**Financial Analysis:** Funds are available in Account No. 300.68.56550. The State Contract price is \$21,328 (State Contract #MA 758 0600000524).

**Recommendation:** Approval

**Attachments:**

- Quote

**Contact Person**

<b>Name:</b>	William R. Scalf, Jr., PE
<b>Title:</b>	Director
<b>Department:</b>	Sewer
<b>Phone:</b>	502/875-2448
<b>Email:</b>	<a href="mailto:wscalf@Frankfort-KY.gov">wscalf@Frankfort-KY.gov</a>

### 6.2 To consider approval of Change Order No. 1 with Kenney, Inc. for the construction of the static mixer vault at the WWTP. (Sewer Department)

**Purpose:** The purpose of this item is to consider approval of Change Order No. 1 with Kenney, Inc, for the construction of the static mixer vault at the WWTP.

**Background:** In February 2007 the Sewer Department awarded a contract to Kenney, Inc., to construct a vault for the static mixers as part of the Ozone System Replacement Project. Changed site conditions and 3 department requests for minor modifications has resulted in additional costs to the Sewer Department.

The original change order, as requested by Kenney, was \$38,803.46; however after negotiations the Sewer Department has agreed to \$20,108.68 based upon requests made by the Department and the changed site conditions.

Total cost of the project to date is as follows:

➤ Original Contract	\$ 197,115.00
➤ Change Order No. 1	<u>\$ 20,108.68</u>
	\$ 217,223.68

**Financial Analysis:** Funds are available in Account No. 300.68.56550.

**Recommendation:** Approval

**Attachment:**

- Change Order No. 1

**Contact Person**

**Name:** William R. Scalf, Jr., PE  
**Title:** Director  
**Department:** Sewer  
**Phone:** 502875-2448  
**Email:** [wrscajf@frankfort-ky.gov](mailto:wrscajf@frankfort-ky.gov)

- 6.3** To approve a three-year fixed rate contract with the Kentucky League of Cities for the Liability and Property Insurance Policies (Finance).

**Purpose:** To consider approving a fixed three-year insurance contract with Kentucky League of Cities Liability and Property Insurance. The contract will fix the insurance rate for 2008, 2009, and 2010.

**Background:** The previous year insurance contract has allowed for up to a 5% increase/per year in the insurance rates. The new contract would fix the insurance rate for 3 years.

**Financial Analysis:** The financial impact to the City will be a potential saving of \$40,000.00/year or \$120,000.00 for the three-year term.

**Recommendation:** Approval

**Attachment:**

- KLC Rate Guarantee

**Contact Persons**

<b>Name:</b>	Steve Dawson	Tony Massey
<b>Title:</b>	Director	City Manager
<b>Department:</b>	Finance	City Manager
<b>Phone:</b>	502/875-8500	502/875-8500
<b>Email:</b>	<a href="mailto:sdawson@frankfort-ky.gov">sdawson@frankfort-ky.gov</a>	<a href="mailto:amassey@frankfort-ky.gov">amassey@frankfort-ky.gov</a>

- 6.4** To authorize increasing the contract limit on Benson Valley Landfill contract for disposal of dewatered biosolids at the wastewater treatment plant (Sewer Department).

**Purpose:** To increase the contract limit on a Benson Valley Landfill contract for the disposal of dewatered biosolids.

**Background:** In June 2003, the Sewer Department opened bids for the turnkey disposal of dewatered biosolids generated by the wastewater treatment plant. Benson Valley Landfill was the low bidder based

upon their unit cost for disposal of \$13.96 per wet ton. The contract was signed on October 1, 2003 for a period of 5 years and does not expire until October 2008. The new contract amendment will be for \$100,000, which should cover disposal costs for the remainder of this Fiscal Year.

**Financial Analysis:** Funding is available in the amount of \$100,000 in Account No. 300.68.56550.

**Recommendation:** Approval

**Attachments:**

- Copy of signed contract.

**Contact Person**

**Name:** William R. Scalf, Jr., PE  
**Title:** Director  
**Department:** Sewer  
**Phone:** 502/875-2448  
**Email:** wscalf@Frankfort.KY.gov

- 6.5** To authorize a Backflow Agreement with David and Jennifer Clark, 221 Capital Avenue, Frankfort, Kentucky (Sewer Department).

**Purpose:** To approve a Backflow Agreement with David and Jennifer Clark, 2210 Capital Avenue, Frankfort, Kentucky.

**Background:** The property located at 221 Capital Avenue has had several backups during high intensity rain events. Installation of the backflow valve will reduce the risk of future backups in the home. After approval, the Agreement will be filed in the Franklin County Courthouse and the homeowner is responsible for all future maintenance of the valve. The homeowner is required to obtain three quotes from licensed plumbers and the City will reimburse the homeowner for the lowest quote. This home is located in the combined sewer area.

**Financial Analysis:** Funds are available in Account No. 400.68.55465.

**Recommendation:** Approval

**Attachment:**

- Backflow Agreement

**Contact Person**

**Name:** William R. Scalf, Jr., PE  
**Title:** Director  
**Department:** Sewer  
**Phone:** 502/875-2448  
**Email:** wscalf@Frankfort.KY.gov

- 6.6** To approve Change Order # 1 to Ozonia of North America, Inc. for new Liquid Oxygen Ozone Generating System at the Wastewater Treatment Plant (Sewer Department).

**Purpose:** To approve Change Order #1 to the contract with Ozonia of North America, Inc. for a modification to the ozone destruct support system for the new Ozone Generating System.

**Background:** In March 2006 the City awarded a contract to Ozonia North America to fabricate the Ozone Generators for the new Ozone Generating System. During the development of the specifications the Sewer Department did not specify a stainless steel for the ozone destruct unit support system. This Change Order changes the destruct unit support system from carbon steel to stainless steel. This change will increase the life expectancy of the supports and require significantly less maintenance.

Original Contract	\$1,205,000
Change Order # 1	<u>7,740</u>

Revised Contract	\$1,212,740
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**Financial Analysis:** Funds are available in Account No. 300.68.56550.

**Recommendation:** Approval

**Attachments:**

- Change Order No. 1

**Contact Person**

**Name:** William R. Scalf, Jr., PE  
**Title:** Director  
**Department:** Sewer  
**Phone:** 502/875-2448  
**Email:** [wscalf@frankfort-ky.gov](mailto:wscalf@frankfort-ky.gov)

- 6.7** To declare old ozone generating system material surplus and dispose of by selling as scrap metal (Sewer Department).

**Purpose:** To declare the equipment removed during demolition of the existing ozone generating system as surplus and receive authorization to sale same as scrap metal.

**Background:** The Sewer Department will demolish the existing ozone generating system prior to installation of the new ozone generating equipment. It is anticipated that several thousand pounds of stainless steel and carbon steel will be generated as a result of the demolition. In addition, the transformers have several hundred pounds of copper wiring. This material has no value other than as scrap metal. The metal will be cut into manageable sizes and hauled to a scrap dealer and sold as scrap metal.

**Financial Analysis:** Proceeds from the sale of the scrap metal will generate revenue for the Department.

**Recommendation:** Approval

**Attachments:** None

**Contact Person**

**Name:** William R. Scalf, Jr., PE  
**Title:** Director  
**Department:** Sewer  
**Phone:** 502/875-2448  
**Email:** [wscalf@frankfort-ky.gov](mailto:wscalf@frankfort-ky.gov)

- 6.8** To authorize Requests for Environmental consulting services related to the Holmes Street Brownfield Petroleum Assessment Project (Grants Manager/City Manager).

**Purpose:** To authorize Requests for Proposals for Environmental consulting services related to the Holmes Street Brownfield Petroleum Assessment Project as required by the United States Environmental Protection Agency.

**Background:** The City of Frankfort applied for a Brownfield Petroleum Assessment Grant for the Holmes Street Corridor in December of 2006. In the spring of 2007, the City learned that the grant application was successful and the City would receive \$200,000 to conduct the project. In October of this year the,



City's Work Plan for the project was approved by Kathleen Curry, EPA Project Manager. The Work Plan included acquiring the services of a qualified Environmental Professional Consultant to perform various tasks included in the Work Plan. The attached Request For Proposals is the next step in the Work Plan.

**Financial Analysis:** Funds for this project are included in the grant award for this project.

**Recommendation:** Approval

**Attachment:**

- RFP including Work Plan

**Contact Person:**

**Name:** Rebecca Hall  
**Title:** Grants Manager  
**Department:** City Manager  
**Phone:** 502/875-8500  
**Email:** rhall@Frankfort-ky.gov

- 6.9** To authorize Requests for Proposals for a Technical Assistance Consultant in the Administration of the Kentucky Housing Corporation HOME Focus Community Project in the Holmes Street Corridor (Grants Manager/City Manager).

**Purpose:** To authorize Requests for Proposals for a Technical Assistance Consultant in the Administration of the Kentucky Housing Corporation HOME Focus Community Project in the Holmes Street Corridor.

**Background:** The City of Frankfort applied for and received notification that we were awarded funding under the Kentucky Housing Corporation's HOME Focus Community Project. The Grants Manager discussed the scope of the project with our KHC Project Manager and communicated with and visited other Focus Communities to gather information about possible administration options for the project. It became clear that due to the highly specialized nature of the project and many requirements imposed by HUD and KHC the services of a Consultant to offer Technical Assistance to staff should be obtained.

**Financial Analysis:** Funds for the Technical Assistance in the Administration of this Project can be obtained from grant funds in the HOME Focus Community Project. In Frankfort's application for funding to KHC, ten percent of the project costs were allocated under Administration. If consultant fees do not reach ten percent of the project, the City can use the remaining administration funding for staff time on the project.

**Recommendation:** Approval

**Attachment:**

- RFP

**Contact Person:**

**Name:** Rebecca Hall  
**Title:** Grants Manager  
**Department:** City Manager  
**Phone:** 502/875-8500  
**Email:** rhall@Frankfort-ky.gov

- 6.10** To approve Change Order #1 with Schnell Contractors, Inc. for the Sullivan Parking Garage Repair Project (Public Works).

**Purpose:** To approve Change Order #1 with Schnell Contractors, Inc. for the Sullivan Parking Garage Repair Project.

**Background:** The City of Frankfort opened bids for the first phase of repairs to the Sullivan Parking Garage on 8/30/07. The City received 5 bids from qualified contractors. The Project Architect, David Banks recommended awarding the base bid contract to Schnell Contractors, Inc. in the amount \$139,485, plus a 10% contingency.

The base bid specified using a urethane sealant that has an 8-10 year life span. Schnell Contractors also submitted an alternative sealant that exhibits an 18-20 year life span. The Project Architect recommends that the City approve Change Order #1 that would increase the sealants useful life an additional 10 years. According to the contractor's estimate, the material and labor cost to re-caulk the parking garage in 8-10 years is approximately \$80,000. Thus, the Project Architect recommends upgrading the sealant material that would reduce future maintenance costs.

David Banks, Architects and Associates, recommends that the City approve Change Order #1 to Schnell Contractors, Inc. in the amount of \$28,500.

**Financial Analysis:** Funding is available in Account No. 450.68.56550.

**Recommendation:** Approval

**Attachments:**

- Change Order #1
- Schnell Contractors letters dated 10/15/07 & 11/2/07

**Contact Person**

**Name:** Jeff Hackbart, PE  
**Title:** Director  
**Department:** Public Works  
**Phone:** 502/875-8500  
**Email:** jhackbart@frankfort-ky.gov

**6.11 To approve 2008 Season Pass Rates for Juniper Hill Golf Course (Golf).**

**Purpose:** To establish the 2008 Season Pass Rates for Juniper Hill Golf Course.

**Background:** Frankfort is in the middle of a highly competitive golf market. However, Juniper Hill Golf Course is positioning itself to recapture lost golf rounds. Golf course improvements combined with an emphasis on enhanced customer service for 2008 are expected to increase play dramatically for 2008.

During the 2007 golf season, season pass rates increased approximately 7% across the board, while maintaining the same daily greens fees. In keeping the 2008 rates the same as the rates for 2007, the golf staff has set a goal of increasing play, and thereby revenues, by 10%. This goal is optimistic, but achievable due to numerous factors.

**Financial Analysis:** By maintaining rates at 2007 season pass levels, it is hoped that number of rounds played increase, thereby increasing revenues.

**Recommendation:** Approval

**Attachment:**

- Proposed 2008 Season Pass Rates
- 2007-2008 Season Pass financial comparisons

**Contact Person:**

**Name:** Kirk Schooley

**Title:** Juniper Hill Golf Professional  
**Department:** Golf  
**Phone:** 502/875-8559  
**Email:** kschooley@frankfort-ky.gov

- 6.12** To authorize the purchase of a 2007 Freightliner 23 Cubic Yard High Compaction Garbage Packer from Municipal Equipment (Public Works).

**Purpose:** To authorize the purchase of a 2007 Freightliner 23 Cubic Yard High Compaction Garbage Packer from Municipal Equipment.

**Background:** On 10/18/07, the City of Frankfort received one bid from Municipal Equipment for a 23 cubic yard side load garbage packer. The city traditionally purchases rear loader units for its fleet. However, the Sanitation Superintendent chose to bid the side loader unit since it achieves higher productivity with less personnel. The side loader will replace a 1988 Ford Garbage Packer with over 100,000 miles

**Financial Analysis:** Since Municipal Equipment was the sole bidder, they agreed to reduce their original bid of \$145,073 to \$142,073 (See letter dated 10/23/07). Funds are available in the Sanitation Budget to purchase the 2007 garbage packer. The Sanitation Equipment Account has \$137,277 and the remaining \$4,796 will be absorbed in the Sanitation Division operating budget.

**Recommendation:** Approval

**Attachments:**

- Bid Tabulation
- Municipal Equipment letter dated 10/23/07
- Agreement

**Contact Person**

**Name:** Jeff Hackbart  
**Title:** Director  
**Dept.:** Public Works  
**Phone:** 502/875-8500  
**Email:** jhackbrt@frankfort-ky.gov

- 6.13** To authorize award of a professional service contract to Lee Engineering for the title reports, negotiations, and closings for easement acquisition associated with the Jones Lane Pump Station (Sewer Department).

**Purpose:** The purpose of this item is to consider awarding a professional service contract to Lee Engineering for the title reports, negotiations, and closings for easement acquisition associated with the Jones Lane Pump Station.

**Background:** The Frankfort Sewer Department has contracted with Lee Engineering for the design and bidding of the Jones Lane Pump Station. Lee Engineering has potentially identified 19 properties that need a Permanent Easement, a Construction Easement or an Acquisition Easement. Lee Engineering has performed easement acquisition services in that past. Their fee will be a Lump Sum of \$1,100 per property with a cap of \$20,900 if easements are required on all 19 properties. Individual costs for easement acquisition for each property will be determined during the negotiation process and paid following signing of the easement.

**Financial Analysis:** Funds are available in Account No. 450.68.56550.

**Recommendation:** Approval

**Attachment:**

- Amendment No. 1 (to be provided)

**Contact Person**

**Name:** William R. Scalf, Jr., PE  
**Title:** Director  
**Department:** Sewer  
**Phone:** 502/875-2448  
**Email:** [wscalf@frankfort-ky.gov](mailto:wscalf@frankfort-ky.gov)

- 6.14** To authorize a contract to purchase a 2008 Ford E-450 Type III ambulance from Muster Emergency Vehicles, Inc. and to authorize a financing agreement with Republic First National of Rochester, IN for the purchase over a 3-year period (Fire).

**Purpose:** To enter in a contract to purchase a 2008 Ford E-450 Type III ambulance and to finance its purchase over a 3-year period.

**Background:** Bids were advertised to replace a 1998 ambulance with 110,000 miles opened on November 2, 2007. Muster Emergency Vehicles, Inc. of Calhoun, Kentucky was the only bidder and their bid fully meets our specifications, with a quotation of \$117,775. Delivery is expected approximately 90 days after contract award. During the FY 07/08 budget process it was planned to purchase the new ambulance through a lease/purchase plan financed over a three year period with the first payment coming due after July 1, 2008.

**Financial Analysis:** Republic First National of Rochester, IN offers the best rate for governmental agency financing of emergency vehicles. Their APR is 4.38% requiring three equal payments of \$42,346.68 beginning in November 2008.

**Recommendation:** Approval

**Attachments:**

- Bid Tab
- Muster Bid Letters (2)
- Republic First National Quote

**Contact Person**

**Name:** Wallace Possich  
**Title:** Fire Chief  
**Department:** Fire  
**Phone:** 502/875-8511  
**Email:** [wpossich@fewpb.com](mailto:wpossich@fewpb.com)

- 6.15** To authorize the filing of an application for 2007 Get Healthy Kentucky grant funds and designate the Mayor to execute all grant documents pertaining to this application (Grants Manager/City Manager).

**Purpose:** To authorize the filing of an application for 2007 Get Healthy Kentucky grant funds and designating the Mayor to execute all grant related documents.

**Background:** The Governor's Office of Wellness and Physical Activity has opened the application process for local government agencies to apply for up to \$20,000.00 under the Get Healthy Kentucky Grant Program. This program is only open to city and county governments. School districts are not eligible to apply. Under this program funds are available to repair and/or create sidewalks around K-8 schools to encourage children to walk to school to promote a healthy lifestyle. Elkhorn Elementary, which is within the city limits, has a sidewalk in need of improvements to make it safe and more appealing for children to walk or bike to school. The school has received an estimate of \$17,000.00 to repair the sidewalk. The Get Healthy Kentucky Grant Fund requires the local community to have a match of 40% of the requested funds. The City would like to request a grant of \$12,150.00 on behalf of the Franklin

County School Board and is asking the Franklin County School Board to match this funding with \$4,860.00 to complete the project.

**Financial Analysis:** There is a local match requirement for these grant funds, however, the city is asking the Franklin County School Board to meet this requirement.

**Recommendation:** Approval

**Attachments:** None

**Contact Persons:**

<b>Name:</b>	Bob Tillett	Rebecca Hall
<b>Title:</b>	Public Works Assistant	Grants Manager
<b>Department:</b>	Public Works	City Manager
<b>Phone:</b>	502/875-8500	502/875-8500
<b>Email:</b>	<a href="mailto:BTillett@Frankfort-ky.gov">BTillett@Frankfort-ky.gov</a>	<a href="mailto:Rhall@Frankfort-ky.gov">Rhall@Frankfort-ky.gov</a>

- 6.16** To authorize additional funding to the Continuing Engineering Services Agreement with Strand Associates, Inc. for engineering services related to the flow metering required by the CSO Long Term Control Plan (Sewer Department).

**Purpose:** To increase funding to Strand Associates for flow metering of the combined sewers associated with the Combined Sewer Overflow Long Term Control Plan (CSO LTCP) and other CSO related engineering needs. Modeling is a significant component of the LTCP.

**Background:** In April 2007 the Sewer Department increased the funding to Strand Associates for flow metering associated with requirements of the LTCP. This included installation and monitoring the flow meters for a period of 6 weeks. Strand has continued to maintain and monitor the meters until November 14, 2007, which is the end of our initial contract period. During that period there has not been a significant rain to allow for calibration of the required model. Strand is proposing to keep the flow meters in place for a weekly charge of \$9,100 per week for a total of 33 meters, or a cost of \$275.75 per meter per week. This cost includes all maintenance and monitoring of the meters. This request is for the meters to remain in place for a period of up to 8 additional weeks to allow adequate time to collect rainfall data. This will increase the fee amount by \$72,800. Should there be at least 1 significant qualifying rainfall event, the meters can be removed.

The total fees associated with flow metering is

➤ Original Amount	\$ 217,000
➤ Additional Fees	<u>\$ 72,800</u>
	\$ 289,800

**Financial Analysis:** Funds are available in Account No. 450.68.56550.

**Recommendation:** Approval

**Attachments:** To Be Provided

**Contact Person**

<b>Name:</b>	William R. Scalf, Jr., PE
<b>Title:</b>	Director
<b>Department:</b>	Sewer
<b>Phone:</b>	502/875-2448
<b>Email:</b>	<a href="mailto:wscalf@frankfort-ky.gov">wscalf@frankfort-ky.gov</a>

- 6.17** To authorize the execution of a release between the City of Frankfort and the Kentucky River Authority (City Attorney).

**Purpose:** To authorize the execution of a release to be signed by the City and the Kentucky River Authority (KRA). In return for the payment of \$20,434.40 to the City and KRA , both the City and KRA have agreed to sign this release, which released any claims that they may have against Karen Jackson that arise from the incident where Ms. Jackson's boat became lodged on the dam, and City and KRA personnel participated in the rescue of the boat. This amount reimburses the City and KRA for the expenses incurred in participating in the rescue and the cost of repairs to the equipment used.

**Background:** On May 4, 2007, Ms. Jackson's boat became lodged on the Kentucky River Dam at Lock 4. City and KRA personnel and equipment responded to the emergency and incurred expenses. Ms. Jackson's insurance carrier has agreed to pay the amount of \$20,434.40 to the City and KRA to reimburse them in full for the expenses and costs incurred in this rescue and request the signing of this release.

**Financial Analysis:** The City will receive the amount of \$13,434.40.

**Recommendation:** Approval

**Attachment:**

- Release

**Contact Person:**

**Name:** Robert C. Moore  
**Title:** City Attorney  
**Department:**  
**Phone:** 502/227-2271  
**Email:** [rmoore@hazelcox.com](mailto:rmoore@hazelcox.com)

- 6.18** To authorize a temporary emergency egress easement through the St. Clair Parking Garage while construction is underway on the Grand Theatre Building (City Solicitor).

**Purpose:** To authorize a temporary emergency egress easement through the St. Clair Parking Garage while construction is underway on the Grand Theatre Building

**Background:** A number of years ago, Save the Grand Theatre, Inc., owners of the building now known the Grand Theatre Building, granted the McClure Building an emergency egress easement across its building so that people in the McClure Building had a second emergency exit in the event of fire or other emergency. Save the Grand, Inc. is performing substantial construction on its building, therefore this emergency egress easement will not be available for use by the McClure building. Accordingly, Save the Grand requested the City to grant it a temporary emergency egress exit through the St. Clair Parking Garage for pedestrian traffic for people exiting the McClure building in an emergency situation. The temporary emergency egress easement will be in effect until the construction on the Grand Theatre building is complete or the St. Clair Parking Garage structure is no longer available for use.

**Recommendation:** Approval

**Attachment:**

- Easement

**Contact Person:**

**Name:** Robert C. Moore  
**Title:** City Attorney  
**Department:**  
**Phone:** 502/227-2271

**Email:** [rmoore@hazelcox.com](mailto:rmoore@hazelcox.com)

- 6.19** To Approve and authorize the Mayor to execute the Pre-Application/Letter of Intent to the Kentucky Division of Emergency Management, Pre-Disaster Mitigation Program, Flood Mitigation Assistance Program, Repetitive Flood Claims Program (Planning and Building Codes).

**Purpose:** To approve the letter and authorize the Mayor to execute the pre-application/letter of intent that supports the Federal Emergency Management Agency (FEMA) Pre-Disaster Mitigation Program, Flood Mitigation Assistance Program, Repetitive Flood Claims Program in order to apply for grants in order to provide a completed Floodplain Management Plan/ Mitigation Plan for the City of Frankfort.

**Background:** In 1991, the City of Frankfort adopted its Flood Mitigation Plan. In 2006, the during the five (5) year audit of the City's National Flood Insurance Program/CRS participation, it was recommended and later required that our Flood Mitigation Plan be updated or re-adopted. The current Flood Mitigation Plan is outdated and it is needed to develop a high quality Floodplain Management Plan to better communicate and mitigate risk to area flooding.

It is important to note that the consultant firm of FMSM, after discussing possible needs with staff, reported the availability of this grant to the city. Unfortunately the submittal is required by November 16, 2007. Therefore, on November 15, 2007, the Board of Commissioners authorized this item to be placed on the agenda and authorized the Mayor to execute the letter of intent by the November 16, 2007 deadline.

**Financial Analysis:** It is anticipated that a maximum of \$32,500 will be required from Commission Contingency funds (account number 100-95-53295) for completing the updated Floodplain Management Plan/Mitigation Plan, with the aid of FMSM professional services.

**Recommendation:** Approval

**Attachments:**

- Referenced pre-application/notice of intent

**Contact Person**

<b>Name:</b>	Gary Muller
<b>Title:</b>	Director
<b>Department:</b>	Planning and Building Codes
<b>Phone:</b>	502/875-8500
<b>E-mail:</b>	Gmuller@frankfort-ky.gov

- 6.20** To approve providing 12.5% of the required 25% matching grant funds for the Frankfort-Franklin County Planning Commission's sponsorship of the proposed Joint Land Use Study by the Department of Defense - Office of Economic Adjustment relating to the Boone National Guard and the adjacent property within both the City of Frankfort and Franklin County jurisdictions.

**Purpose:** To commit the City of Frankfort to provide 50% of the required matching grant funds relating the to the Joint Land Use Study for the Boone National Guard, City of Frankfort, and Franklin County.

**Background:** On September 13, 2007, the Office of Economic Adjustment made a presentation to the Frankfort/Franklin County Planning Commission to discuss the process and grant opportunity for a Joint Land Use Study (JLUS) for the Boone National Guard, City of Frankfort, and Franklin County. In order to proceed, a governmental agency must sponsor the study and agree to provide the required 25% matching funds for the grant. Typically the cost is around \$20,000 to \$30,000, of which in-kind services are allowed as part of the required matching funds.

On November 8, 2007, the Frankfort/Franklin County Planning Commission continued the discussion concerning the JLUS and whether the Planning Commission would sponsor the study and agrees to

provide the required 25% matching funds for the grant. The Planning Commission passed a motion to support the JLUS; provided the required matching funds would be agreed by and shared equally by the Frankfort Board of Commissioners and Fiscal Court. The anticipated completion of the Joint Land Use Study is approximately 12-18 months.

**Financial Analysis:** It is anticipated that a minimum of \$10,000 will be required from Commission Contingency funds (account number 100-95-53295) to cover the City's 50% of the required 25% matching grant funds.

**Recommendation:** I recommend that the City Commission support the sponsorship by the Frankfort/Franklin County Planning Commission for the JLUS and to commit contributing 12.5% of the required 25% matching grant funds from Commission Contingency funds, PROVIDED, that should Fiscal Court not agree to committing its 12.5% share of the required matching grant funds, that this approval be automatically rescinded.

**Attachments:**

- Planning Commission report from the November 8, 2007 meeting.

**Contact Person**

**Name:** Gary Muller  
**Title:** Director  
**Department:** Planning and Building Codes  
**Phone:** 502/875-8500  
**E-mail:** gmuller@frankfort-ky.gov

<b>6.21 Personnel Action</b>	<b><u>Employee</u></b>	<b><u>Department</u></b>	<b><u>Date</u></b>	<b><u>Other</u></b>
<b>Appointment</b>	Jonathan S. Parker Mark Luttrell	Information Technology Sewer	12-11-07 11-27-07	GIS Technician Tech I
<b>Retirement</b>	Dianne Caines	Golf Course	10-31-07	Office Assistant; Authorize payment of all accrued time as of effective date
<b>Rescind Appointment</b>	Garnett K. Burchett	Sewer	10-23-07	Tech I

**Conditional Offer of Employment:**

- Edith Aubrey, Patrol Officer I, Police Department \*\*
- Michael Schneble, Police Officer I, Police Department \*\*
- Matthew Swabey, Police Officer I, Police Department \*\*

*\*\* Offer Contingent upon successful completion of physical, psychological, polygraph and drug screen examinations.*

**Attachments:**

- Dianne Caines retirement letter

**Contact Person**

**Name:** John Morrow  
**Title:** Director  
**Department:** Human Resources  
**Phone:** 502/875-8500  
**Email:** [jmorrow@frankfort-ky.gov](mailto:jmorrow@frankfort-ky.gov)

**7. BOARD APPOINTMENTS**

**8. OLD BUSINESS**

**9. NEW BUSINESS**

**10. CITIZEN COMMENTS**



**11.COMMISSIONER COMMENTS**

**12.ADJOURNMENT**